UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,774	03/05/2002	Yu-Ming Huang	0941-0418P-SP	8816

2292   7590   01/08/2007
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER
YENKE, BRIAN P

ART UNIT	PAPER NUMBER
2622	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	01/08/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 01/08/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

PTOL-90A (Rev. 10/06)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*RCE/Amendment (11 Dec 06)*</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

 4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

 a)☐ All   b)☐ Some * c)☐ None of:

 1.☐ Certified copies of the priority documents have been received.

 2.☐ Certified copies of the priority documents have been received in Application No. _____.

 3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

 * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11 Dec

06 has been entered.

Response to Arguments

2.   Applicant's arguments filed 06 Jun 06 have been fully considered but they are not

persuasive.

Applicant's Arguments

a) Pertaining to the applicants remarks that Cottle recites that the display area

does not contain any OSD data, such as background color or motion video, is not

included in the frame memory (see column 42, line 37-39, Fig 18e). Thus data stored in

frame memory of Cottle is OSD data only, not frame data corresponding to a frame of a

display screen without OSD data., nor does Cottle disclose the determination of an OSD

function being enabled.

Examiner's Response

b) The examiner agrees that Cottle discloses such a passage. However, Cottle

also discloses that the frame memory may include non-OSD data (Fig 18D both figures),

where the background color or motion video are stored in the frame memory when the

window includes non-OSD data. Cottle discloses a system which utilizes SDRAM 312

which includes buffers 312a and OSD buffer 312b, where OSD controller 270 (Fig 18b)

is able to simultaneously display different kinds of bit-map, graphic, still video picture,

motion video picture or background color (para 371). Thus the frame memory/SDRAM

312 receives the data necessary for display from CPU memory 240 which acts as a

temporary buffer (para 93-94). The system mixes OSD and non-OSD data for display,

thus meeting the determining if an OSD is enabled and whether mixing of such is

required.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

.Claims 1-3 and 8-12 are rejected under 35 U.S.C. 102(e) as being anticipated by

Cottle et al US 6,263,3961.

As is broadly illustrated in figure 18e, Cottle et al described an OSD control

system which comprises:

a) A display memory comprised of a frame memory (312);

b) A memory (240); and

c-d) Circuitry for copying OSD data into the display memory (312) from the

memory (240), wherein the system mixes OSD and non-OSD data for display, thus

meeting the determining if an OSD is enabled and whether mixing of such is required.

In considering claim 2,

Note element 272 of figure 18B.

In considering claim 3,

Note element 1040 of figure 18B.

It is noted that Cottle discloses that the display screen may include non-OSD data

(i.e. Full screen background 1110 (Fig 18D) or Full screen MPEG motion picture 1120

(Fig 18D) in addition to OSD data (windows 1100, 1102, 1104, 1106, 1122, 1124).

Thus the frame data corresponds to frame of a display screen with and/or without OSD

data (Fig 18d/e) meeting the claimed limitation.

Regarding the newly added claims, Cottle discloses that the frame memory (312)

stores the frame data or not and OSD data, after the OSD data is stored in CPU memory

40 meeting the claimed limitation.   Cottle also discloses the claimed outputting the data

(frame data or not and OSD data) to a screen display (Fig 18d/18e). Cottle also discloses

the storage/display of multiple OSD data types (i.e. different windows) meeting the

claimed storing another OSD data.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the

various claims was commonly owned at the time any inventions covered therein were

made absent any evidence to the contrary. Applicant is advised of the obligation under

37 CFR 1.56 to point out the inventor and invention dates of each claim that was not

commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

Claims 4-7 and 15-25 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Cottle et al US 6,263,3961.

In considering claims 4-5,

The claims differ from the showing of Cottle et al. only in the recitation of the

nbit block transfer flag".

It would at least have been obvious to one of ordinary skill in the art to have

provided the system disclosed by Cottle et al. with a "flag" via the bit block transfer mode

for tracking transfers of the OSD via the bit block transfer flag.

In considering claims 6-7,

The claims differ from the showing of Cottle et al. only in the recitation of the "overlay flag".

It would at least have been obvious to one of ordinary skill in the art to have provided the system disclosed by Cottle et al. with "flag" for tracking the window location configuration of the frame memory into which the OSD is transferred; i.e. such flags would be cleared wherever the window configuration was changed.

In considering claims 15-16,

The claim adds the limitation of "an interface card" in addition to the rejected limitations as shown above (refer to claim 1). Although, Cottle does not explicitly recite such feature with the memory, Cottle discloses the use of interface cards/smart cards (i.e. 280-1 Fig 1b) in relation to system processing. Thus the use of interface cards which comprise memory (i.e. buffer/registers) is conventional in the art based upon the systems needs/requirements/component availability, thus the examiner takes "OFFICIAL NOTICE" regarding such, since such cards typically provides the benefits of various/multiple functions on a single card, thereby reducing size and providing ease in interchanging of such components.

In considering claim 17,

Refer to claim 2 above.

In considering claims 18-19,

Refer to claim 3 above.

In considering claim 20,

Refer to claim 4 above.

In considering claims 21-22,

Refer to claim 5 above.

In considering claim 23,

Refer to claim 7 above.

In considering claim 24,

Refer to claim 8 above.

In considering claim 25,

Refer to claim 9 above.

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Brian Yenke whose telephone number is (571)272-7359.

The examiner work schedule is Monday-Thursday, 0730-1830 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

Supervisor, David L. Ometz, can be reached at (571)272-7593.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C.   20231

or faxed to:

(571)-273-8300

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the Technology Center 2600 Customer Service Office

whose telephone number is

(703)305-HELP.

General information about patents, trademarks, products and services offered by

the United States Patent and Trademark Office (USPTO), and other related information is

available by contacting the USPTO's General Information Services Division at:

800-PTO-9199 or 703-308-HELP

(FAX) 703-305-7786

(TDD) 703-305-7785

An automated message system is available 7 days a week, 24 hours a day

providing informational responses to frequently asked questions and the ability to order

certain documents. Customer service representatives are available to answer questions,

send materials or connect customers with other offices of the USPTO from 8:30 a.m. -

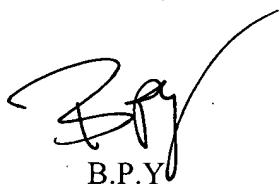8:00p.m. EST/EDT, Monday-Friday excluding federal holidays.

For other technical patent information needs, the Patent Assistance Center can be

reached through customer service representatives at the above numbers, Monday through

Friday (except federal holidays) from 8:30 a.m. to 5:00 p.m. EST/EDT.

The Patent Electronic Business Center (EBC) allows USPTO customers to

retrieve data, check the status of pending actions, and submit information and

applications. The tools currently available in the Patent EBC are Patent Application

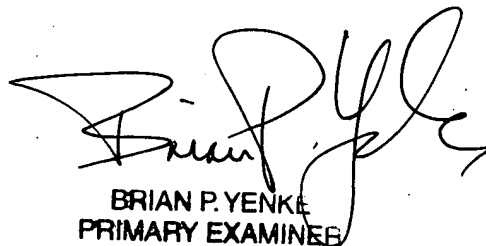Information Retrieval (PAIR) and the Electronic Filing System (EFS).

PAIR (http://pair.uspto.gov) provides customers direct secure access to their own

patent application status information, as well as to general patent information publicly

available. EFS allows customers to electronically file patent application documents

securely via the Internet. EFS is a system for submitting new utility patent applications

and pre-grant publication submissions in electronic publication-ready form. EFS includes

software to help customers prepare submissions in extensible Markup Language (XML)

format and to assemble the various parts of the application as an electronic submission

package. EFS also allows the submission of Computer Readable Format (CRF) sequence

listings for pending biotechnology patent applications, which were filed in paper form.

B.P.Y
03 January 2007

BRIAN P. YENKE
PRIMARY EXAMINER